

U.S. Department of
Homeland Security

United States
Coast Guard



Commanding Officer
United States Coast Guard
Marine Safety Office Puget Sound

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NOTICE OF FEDERAL INTEREST FOR A POLLUTION INCIDENT

Ash Grove Cement
Responsible Party name and address

03 MAY 05
date

3801 E Marginal Way S
Seattle, WA 98134

On or about 02 MAY 05 @ 1307 an oil pollution incident occurred or threatens to occur at the Ash Grove Cement Facility on the East Duwamish waterway. You may be considered the responsible party and therefore may be financially responsible for that incident. Under the Oil Pollution Act of 1990, the responsible party is liable for, among other things, removal costs and damages resulting from this incident.

Under federal statutes, the United States Government may take action to minimize or mitigate damage to the public health or welfare that is threatened or that may be caused by this incident. The failure or refusal of the responsible party to provide all reasonable cooperation and assistance requested by the Federal On-scene Coordinator (OSC) will eliminate any defense or entitlement to limited liability which otherwise might be available under the Act.

You are advised that your failure to properly carry out the removal of the discharge as directed by the OSC or to comply with any administrative orders necessary to protect the public health and welfare, may subject you to additional penalties. For such failure, owners, operators, or persons in charge of the vessel or facility from which the oil is discharged are subject under the Federal Water Pollution Control Act (FWPCA), as amended, to a civil penalty of up to \$27,500 per day of violation, and up to 3 times the costs incurred by the Oil Spill Liability Trust Fund. Should you require further information concerning this matter, please contact MST² Ghalea at the above address and telephone number.

As long as the On Scene Coordinator determines that you are taking adequate actions in this matter, federal action will usually be limited to monitoring the progress of your actions and providing guidance as necessary. Under the FWPCA, as amended, your response actions will be taken into account in determining the amount of any penalty assessed as a result of the discharge.

Sincerely,

RM² John R. Rine
Pollution Investigator
By direction of the Captain of the Port, Puget Sound

Received by: Gerald Rine

Date: 5/3/05

Witnessed by: Daniel C. Ghalea

Date: 5/3/05

Please visit us on the internet at www.uscg.mil/d13/units/msopuget/msops.html

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